



022104

05909 U.S. PTO

PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	38-21(52743)B
First Inventor	Jindong Sun
Title	Transgenic Plants
Express Mail Label No.	ER 523638262 US

PTO
17497
10/7837
10

022104

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 16]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Sheets]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ Paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: request for transfer of CRF.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.

Prior application information:

Examiner

Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: 27161 OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Thomas E. Kelley

Registration No. (Attorney/Agent)

29,938

Signature

Date

21 Feb. 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Certificate of Mailing by Express Mail

Express Mail Label No: **ER 523638262 US**

Date: February 21, 2004

MS Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

I hereby certify that the attached communication comprising:

- Certificate of Mailing by Express Mail
- Utility Patent Application Transmittal
- Request for Transfer of Previously-Filed Identical Computer Readable Form
- Application
 - including 16 pages of specification
 - 1 sheet of drawings
 - 20 pages of sequence listing

by inventors: Jindong Sun et al.
for: Transgenic Plants
Docket No. 38-21(52743)B

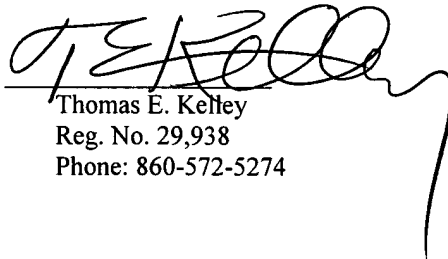
- Return-addressed postcard receipt

is being transmitted to the USPTO by the United States Postal Service's Express Mail Post Office to Addressee Service addressed to:

MS Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

under Express Mail Label No. **ER 523638262 US** on February 21, 2004

Certified by:


Thomas E. Kelley
Reg. No. 29,938
Phone: 860-572-5274



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of Jindong Sun *et al.*
For: Transgenic Plants
Docket No: 38-21(52743)B

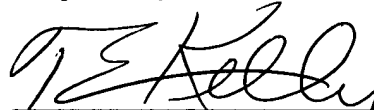
which claims priority under 35 U.S.C. 119(e) to prior provisional application:
Serial No. 60/449,054
Filed: February 22, 2003
Docket No: 38-21(52743)A

Request For Transfer of Previously-Filed Identical Computer Readable Form

The paper copy of the Sequence Listing in this application is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 60/449,054, filed February 22, 2003 except in lines <130>, <150> and <151>.

In accordance with 37 CFR 1.821(e), please use the computer readable form Sequence Listing in that application Serial No. 60/449,054 as the computer readable form for the instant application . It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application.

Respectfully submitted,


Thomas E. Kelley
Applicants' Attorney
Registration No. 29,938
Telephone: 860-572-5274